

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

BOCA RATON FIREFIGHTERS'
AND POLICE PENSION FUND,
DERIVATIVELY ON BEHALF OF
PROPETRO HOLDING CORP.;
Plaintiff,

v.

MO:20-CV-00030-DC

SPENCER D. ARMOUR III, MARK
S. BERG, ANTHONY BEST,
PRYOR BLACKWELL, ALAN E.
DOUGLAS, PHILLIP A. GOBE,
JACK B. MOORE, DALE REDMAN,
STEVEN BEAL, SCHUYLER E.
COPPEDGE, STEPHEN HERMAN,
MATTHEW H. HIMLER, ROYCE
W. MITCHELL, PETER LABBAT,
JEFFREY SMITH, and IAN
DENHOLM,
Defendants.

—and—

JYE-CHUN CHANG,
DERIVATIVELY ON BEHALF OF
PROPETRO HOLDING CORP.;
Plaintiff,

v.

MO:20-CV-00095-DC

DALE REDMAN, JEFFREY
SMITH, IAN DENHOLM,
SPENCER D. ARMOUR III,
STEVEN BEAL, MARK S. BERG,
ANTHONY BEST, PRYOR
BLACKWELL, SCHUYLER E.
COPPEDGE, ALAN E. DOUGLAS,
STEPHEN HERMAN, MATTHEW
H. HIMLER, PETER LABBAT,
ROYCE W. MITCHELL, and JACK
B. MOORE,
Defendants.

**ORDER CONSOLIDATING RELATED CASES AND APPOINTING LEAD
PLAINTIFF AND LEAD AND LOCAL COUNSEL**

BEFORE THE COURT is Plaintiffs Boca Raton Firefighters' and Police Pension Fund and Jye-Chung Chang's (collectively, Plaintiffs) Unopposed Motion to Consolidate Related Derivative Actions and Appoint Lead Plaintiff and Lead and Local Counsel (Unopposed Motion). (MO:20-CV-00030-DC, Doc. 45; MO:20-CV-00095-DC, Doc. 19). After due consideration, the Court **GRANTS** the Unopposed Motion.

The Court **ORDERS** that *Boca Raton Firefighters' and Police Pension Fund v. Armour III, et al.*, 7:20-CV-00030-DC filed January 13, 2020, and *Chang v. Redman, et al.*, 7:20-CV-00095-DC filed April 17, 2020, are related and **CONSOLIDATED** under Federal Rule of Civil Procedure 42(a). When a derivative case that properly belongs as part of *In re ProPetro Holding Corp. Shareholder Derivative Litigation*, MO:20-CV-00030-DC, is hereafter filed in this Court, removed to this Court, or transferred to this Court from another court, this Court requests the assistance of counsel in calling to the attention of the Clerk of the Court the filing, removal or transfer of any case that might properly be consolidated as part of *In re ProPetro Holding Corp. Shareholder Derivative Litigation*, MO:20-CV-00030-DC, and counsel are to assist in ensuring that counsel in subsequent derivative actions receive notice of this Order.

The Court further **ORDERS** that every pleading filed in the consolidated derivative action, or in any action included therein, shall bear the following caption:

**IN THE UNITED STATES DISTRICT COURT
FOR WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION**

<i>In re</i> PROPETRO HOLDING CORP. SHAREHOLDER DERIVATIVE LITIGATION Action)	§ § §	MO:20-CV-00030-DC (Consolidated Derivative
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The Court further **ORDERS** that Plaintiff Boca Raton Firefighters' and Police Pension Fund shall be **APPOINTED LEAD PLAINTIFF** for Plaintiffs in the consolidated derivative action.

The Court further **ORDERS** that Robbins Geller Rudman & Dowd LLP shall be **APPOINTED LEAD COUNSEL** for Plaintiffs in the consolidated derivative action. Lead Counsel shall have the authority to speak for Plaintiffs in matters regarding pre-trial procedure, trial, and settlement negotiations and shall make all work assignments in such manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative effort. Lead Counsel shall also be responsible for coordinating all activities and appearances on behalf of Plaintiffs. No motion, request for discovery or other pre-trial or trial proceedings shall be initiated or filed by any plaintiff except through Lead Counsel.

The Court further **ORDERS** that defense counsel may rely upon all agreements made with Lead Counsel and that such agreements shall be binding on all Plaintiffs in any subsequently filed derivative action(s) consolidated with the consolidated derivative action.

The Court further **ORDERS** that Joe Kendall of the Kendall Law Group, PLLC shall be **APPOINTED LOCAL COUNSEL** for Plaintiffs in the consolidated derivative action. Local Counsel shall be available and responsible for communications to and from this Court, including distributing orders and other directions from the Court to counsel, and for creating and maintaining a master service list of all parties and their respective counsel.

The Court finally **ORDERS** the parties to meet and confer in good faith and file with the Court by **Monday, June 1, 2020**, a schedule addressing: (1) Plaintiffs' deadline to file a Consolidated Complaint, if any; (2) Defendants' deadline to answer or otherwise move regarding

the operative Complaint; (3) a briefing schedule; and (4) all other deadlines set forth in the form of a Scheduling Order contained in Appendix “B” to the Local Rules.

It is so **ORDERED**.

SIGNED this 28th day of May, 2020.

A handwritten signature in black ink, appearing to read "David Counts", written over a horizontal line.

DAVID COUNTS
UNITED STATES DISTRICT JUDGE